

22 PAC/S

PTO/SB/61 (11-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

First Named Inventor: **Albert T. Wu**

Art Unit:

Application Number: **09/673,559**

Examiner:

Filed: **February 22, 2001**

Title: **Spacecraft Shading Device**

RECEIVED

MAY 27 2004

OFFICE OF PETITIONS

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (703) 305-9382.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) Reply and/or issue fee.
- (3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee

☒ Small entity - fee \$ **55.00** (37 CFR 1.17(l)). Applicant claims small entity status.
See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(l)).

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of **Enclosure 2 of 10/24/02 letter:**
"Petition to Withdraw Holding of Abandonment" (identify the type of reply):

☒ has been filed previously on **October 26, 2002**

☐ is enclosed herewith.

B. The issue fee of \$ _____

☐ has been filed previously on _____

Adjustment date: 06/16/2004 AKELLEY
07/02/2002 CCOFE 00000002 09673559
01 FC:216 255.00 OP
06/16/2004 AKELLEY 00000004 09673559

01 FC:2252

200.00 OP

[Page 1 of 3]

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

05/26/2004 AWONDAF1 00000032 09673559

01 FC:2452

55.00 OP

Refund Ref: 06/16/2004 0000130913

CHECK REFUND \$55.00

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

May 19, 2004

Date

Signature

818 393 7179

Telephone Number

Paul F. Kaskiewicz

Typed or printed name

343 Sturtevant Drive #B

Address

Registration Number, if applicable

Sierra Madre, CA 91024

Address

- Enclosure ☒ Fee Payment
- ☐ Reply
- ☐ Terminal Disclaimer Form
- ☒ Additional sheets containing statements establishing unavoidable delay
- ☐ _____

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

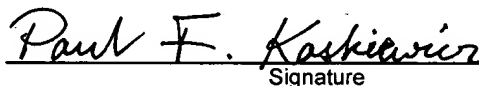
- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

- ☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

faxed May 19, 2004

Date

mailed May 20, 2004



Signature

Paul F. Kaskiewicz

Typed or printed name of person signing certificate

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

May 19, 2004

Date

Paul F. Kaskiewicz

Signature

Paul F. Kaskiewicz

Registration Number, if applicable

Typed or printed name

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

Please see Attachments 1 through 8.

(Please attach additional sheets if additional space is needed.)

RECEIVED

MAY 27 2004



ATTACHMENT 1

OFFICE OF PETITIONS

1.0 Chronological Summary of Key Events (for your ready reference)

January 16, 2002 The PTO sent to us, the applicants, a non-final office action letter from Examiner Timothy D. Collins;

June 12, 2002 We, the applicants, completed our response to the Examiner;

June 15, 2002 We, the applicants, mailed our response explicitly to the Examiner, at the PTO address, via USPS Certified Mail, including our check # 907097 for \$255 covering a 2-month late filing fee;

June 24, 2002 The PTO Receiving Office stamped the Domestic Return Receipt from our June 15 2002 mailing, and returned the return receipt to us;

July 1, 2002 Ms. Cofer, PTO, left a voice message for Mr. Paul Kaskiewicz (co-inventor and representative for the applicants);

July 2, 2002 Mr. Paul Kaskiewicz returned Ms. Cofer's July 1 call. In the phone conversation Ms. Cofer:

- a. stated that she sought to return \$55 to us, the applicants, as on June 24, 2002 the PTO had received our response to the Examiner, i.e. within two months of the due date, and the corresponding late fee was only \$200.
- b. specifically identified our response to the Examiner among the items received by the PTO from us on 24 June 2002.
(Note: Ms. Cofer identified our response to the Examiner by its title, its tabbed and labeled card divider sheets, and its thickness of 1/4 inch.);

July 5, 2002 The banks cleared our check # 907097 for \$255, as cashed by the PTO;

August 27, 2002 The PTO mailed to us a notice of abandonment for our application, which stated grounds of 'lack of response';

October 26, 2002 We, the applicants, mailed (explicitly to the Examiner, Mr. Timothy D. Collins, at the PTO address) an additional copy of our original response to the Examiner (dated June 12 2002), together with a letter of Petition to Withdraw Holding of Abandonment, dated October 24, 2002;

June 12, 2003 PTO mailed to us a letter of Denial of Petition to Withdraw Holding of Abandonment;

July 11, 2003 We, the applicants, faxed to the PTO a letter of acknowledgement of receipt of the letter of denial of petition;

August 12, 2003 We, the applicants, sent to the PTO a letter of "Key Facts Omitted from the Ref.-2 Letter Dated 12 June 2003";

November 20, 2003 PTO mailed to us a letter of Decision on Petition to Withdraw the Holding of Abandonment.

December 2003 – March 2004

Mr. Paul Kaskiewicz was incapacitated (off work and hospitalized) and consequently unable to respond any earlier to the PTO. Mr. Kaskiewicz is the co-inventor with cognizance and responsibility for patent prosecution. Mr. Kaskiewicz is formally designated “Common Representative” for the (current subject) US application # 09/673,559 with Power of Attorney (POA).

2.0 Cause of Unavoidable Delay

Despite his experience and training to the contrary, Mr. Paul Kaskiewicz erroneously filled out the ‘certificate of mailing’ for our June 15, 2002 mailing of our response to the Examiner. Therein, Mr. Kaskiewicz uncharacteristically made an error of failing to specify the contents of the mailing on the associated Domestic Return Receipt and Certified Mail Receipt.

(Note in Attachment 7, however, that Mr. Kaskiewicz explicitly addressed the June 15, 2002 mailing to “Mr. Timothy D. Collins, Examiner”, at the PTO address. Thereby, *de facto*, the mailing constituted a response to the Examiner – even though the PTO subsequently recorded ‘lack of response’ to the Examiner.)

Unfortunately, after the PTO Receiving Office received our response to the Examiner on June 24, 2002 (and Ms. Cofer, PTO, informed us that she was in physical possession of the response on July 2, 2002) the PTO subsequently misplaced the response and has not located it since.

In our letter to the PTO “Key Facts Omitted from the Ref.-2 Letter Dated 12 June 2003” dated August 11, 2003, we proved that:

- I. our June 15, 2002 mailing to the PTO contained a now-missing item (that the PTO has not explained the loss of) that weighed between 12 oz and 13 oz. (The proof was through reference to USPS Certified Mail dockets that we provided with our aforementioned August 11, 2003 letter).

Note that the weight of the replacement copy of our (missing) response to the Examiner, which we also provided with our August 11, 2003 letter, was 12.1 oz. Therefore the weights of the missing response to the Examiner and the replacement copy of our response to the Examiner were identical.

- II. Ms. Cofer, PTO, talked with Mr. Kaskiewicz by telephone on July 2, 2002 (even though Ms. Cofer kept no records of her phone calls).

(On July 1, 2002, Ms. Cofer left Mr. Kaskiewicz a voice message.)

The subjects of Ms. Cofer’s July 1 message and July 2 conversation were that:

- (a) The PTO received the response to the Examiner on June 24, 2002, within two months after the due date, and accordingly since the late-fee was therefore only \$200, we were due a refund of \$55 from our payment of \$255 by our check # 907097, which the PTO also received on June 24, 2002.
- (b) Ms. Cofer had our response to the Examiner physically in her hands; and she positively identified it for Mr. Kaskiewicz by means of its title, its tabbed and labeled card divider sheets, and by its thickness of 1/4 inch.

III. on July 5, 2002, the banks cleared our check # 907097 for \$255, which the PTO had cashed.

The PTO never refunded any part of our check # 907097 – indicating acknowledgement of receipt by the PTO of our response to the Examiner on June 24, 2002.

2.1 Evidence Concerning Procedures in Place that Should Have Avoided the Error Resulting in the Delay

For each mailing or transmission to the PTO concerning our application # 09/673,559, we the co-inventors and applicants have implemented a procedure of including a certificate of mailing or transmission. The certificates have been either (a) embodied in the communication, or (b) in the form of entries on accompanying pairs of USPS Domestic Return Receipts and Certified Mail Receipts.

When the certificates are embodied in the correspondence, each separate item mailed/transmitted is to include a certificate. When the certificates are in the form of entries on Domestic Return Receipts and Certified Mail Receipts, the receipts are to include descriptions of the contents of the mailing.

Attachments 2, 3, and 5 hereto are evidence of certificates embodied within correspondence that we have mailed. Attachments 7 and 8 are evidence of certificates of mailing that we generated on associated pairs of Domestic Return Receipts and Certified Mail Receipts for correspondence that we have mailed.

2.2 Evidence Concerning Training and Experience of Mr. Kaskiewicz

As we are (and have long been) self-representing co-inventors and applicants, professional training in clerical patent-submission procedures was inapplicable.

Nevertheless, prior to our mailing of our response to the Examiner on June 15, 2002, Mr. Paul Kaskiewicz, the co-inventor with patent-prosecution cognizance and responsibility, received ample and effective on-the-job-training (OJT) in proper procedure for preparation of 'certificates of mailing or transmission' to the

PTO, EPO, and ILPTO through his working with (professional) patent attorneys that we retained temporarily from time to time.

Mr. Kaskiewicz participated with those attorneys in generating all items of formal correspondence sent to the PTO, EPO, and ILPTO on our behalf by the patent attorneys - which include certificates of mailing. He received copies of all such correspondence, and was familiar with the purpose of the associated 'certificates of mailing or transmission'.

Consequently, Mr. Kaskiewicz learned of and understood the need for certificates of mailing and transmission. Accordingly, he included certificates of mailing in his mailings to the PTO.

Relevant on-the-job-training experience of Mr. Kaskiewicz includes:

- a. Before April 2002, we retained patent attorney Alan Kipnes, Princeton Junction, NJ, for the (current subject) US application # 09/673,559.

As co-inventor with patent-prosecution responsibility – see also the following items (b), (d), and (e) - Mr. Kaskiewicz worked closely with attorney Kipnes in generating (and reviewing copies of) all items of (professional) formal correspondence sent to the PTO, including Attachments 2, 3, and 5 hereto, which include certificates of mailing within the correspondence.

- b. As shown in Attachment 4 hereto, in April 2002 Mr. Kaskiewicz became the formally designated "Common Representative" with POA for the same (current subject) US application # 09/673,559; and he has continuously remained in that role ever since.

Attachments 7 and 8 are examples of certificates of mailing that Mr. Kaskiewicz generated on pairs of Domestic Return Receipts and Certified Mail Receipts after April 2002.

- c. Before 2000, Mr. Kaskiewicz personally retained and worked closely with patent attorneys "Langner Parry", London, England, for the underlying predecessor PCT application # PCT/US99/08572.

As co-inventor with patent-prosecution responsibility, Mr. Kaskiewicz worked closely with those patent attorneys in generating (and reviewing copies of) all items of (professional) formal correspondence sent to the EPO, which included certificates of mailing.

- d. Since 2000, Mr. Kaskiewicz has continuously been the formally designated "Common Representative" with POA for the underlying predecessor PCT application # PCT/US99/08572; and also for the subsequent follow-on EP application # 99963121.1.

- e. In 2000, Mr. Kaskiewicz personally retained and worked closely with patent attorneys "Jeremy M. Ben-David & Co. Ltd.", Tel Aviv, Israel, for Israel application # 133542, which parallels the current subject US application.

As co-inventor with patent-prosecution responsibility, Mr. Kaskiewicz worked closely with those patent attorneys in generating (and reviewing copies of) all items of (professional) formal correspondence sent to the ILPTO, which included certificates of mailing.

2.3 Applicable Docketing Records

Applicable docketing records are shown in Attachments 2, 3, 5, 7, and 8 hereto.

In Attachment 7 (for our mailing of our response to the Examiner that was subsequently misplaced in the PTO), Mr. Kaskiewicz erroneously failed to specify the contents of the mailing on the associated Domestic Return Receipt and the Certified Mail Receipt.

In Attachment 8, Mr. Kaskiewicz properly specified the contents of the mailing on the associated Domestic Return Receipt and the Certified Mail Receipt.

3.0 Our Status as a Small Entity

Please note that we have always been a small entity.

Attachment 6 hereto is a copy of "Declaration Claiming Small Entity Status (37 CFR 1.9(f) & 1.27(c))" that we filed with the PTO on October 13, 2000.

Sincerely yours,

Paul F. Kaskiewicz

May 19, 2004

Paul Kaskiewicz

ADDITIONAL ATTACHMENTS:

Attachment 2

Letter (ref: ARK:jsg022001/7281001.PET) to PTO dated February 20, 2001 – two pages.

Attachment 3

Letter (ref: ARK:jsg022001/7281001.RES) to PTO dated February 20, 2001 – two pages.

Attachment 4

Letter to PTO dated April 16, 2002 – two pages.

Attachment 5

Letter (ref: ARK:jsg022001/7281001.REQ) to PTO dated February 20, 2001 – two pages.

Attachment 6

Copy of "Declaration Claiming Small Entity Status (37 CFR 1.9(f) & 1.27(c))", filed October 13, 2000 – one page.

Attachment 7

Domestic return Receipt and Certified Mail Receipt from our June 15, 2002 mailing to the PTO of our now-missing response to the Examiner – one page.

Attachment 8

Domestic return Receipt and Certified Mail Receipt from our August 13, 2003, 2003 mailing to the PTO of our letter “ Key Facts Omitted from the Ref.-2 Letter Dated 12 June 2003” dated August 11, 2003– one page.

ATTACHMENT 2



ARK:jsg022001/7281001.PET

RECEIVED

MAY 27 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICE OF PETITIONS

In re Application of:

Applicant : Albert T. Wu, Linchih O. Liu and
Paul Kasklewicz

Serial No. : 09/673,559

Filed : October 13, 2000

For : SPACECRAFT

Examiner : Unknown

Art Unit : Unknown

Attorney Docket No. : 728.1.001

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON D.C. 20231	
ON	February 20, 2001
NAME	Jill S. Garrison
SIGNATURE	<i>Jill S. Garrison</i>

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

February 20, 2001

PETITION FOR A ONE MONTH EXTENSION OF TIME


Dear Sir:

Applicant respectfully requests that the time for responding to the Notification of Missing Requirements under 35 U.S.C. Section 371 be extended for one month until
5 February 18, 2001 (February 20, 2001). Applicant encloses herewith a check in the amount of \$55 to cover the Official Fee as a Small Entity. A Small Entity Declaration is being filed concurrently herewith.

ARK:jsg022001/7281001.PET

Any additional fees or credit for overpayment should be charged to Deposit
Account No. 23-0510.

Respectfully submitted,



Allen R. Kipnes, Esquire
Registration No. 28,433
Attorney for Applicant

5

Address All Correspondence to:

Allen R. Kipnes, Esquire
WATOV & KIPNES, P.C.
P.O. Box 247
Princeton Junction, NJ 08550
(609)243-0330

10

ATTACHMENT 3



ARK:js022001/7281001.RES

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Applicant : Albert T. Wu, Linchih O. Liu and
Paul Kaskiewicz

Serial No. : 09/673,559

Filed : October 13, 2000

For : SPACECRAFT

Examiner : Unknown

Art Unit : Unknown

Attorney Docket No. : 728.1.001

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON D.C. 20231	
NAME	Jill S. Gammon
SIGNATURE	<i>Jill S. Gammon</i>

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

February 20, 2001

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Dear Sir:

Responsive to the Notification of Missing Requirements of December 18, 2000,
Applicants have filed concurrently herewith a Petition for a one month extension of time
5 extending the date for response to February 18, 2001 (February 20, 2001). Applicant
also encloses herewith a duly executed Declaration/Power Of Attorney as being fully
responsive to the Notification to File Missing Parts. Applicant also encloses herewith

ARK:jsg022001/7281001.RES

a check in the amount of \$65 to cover the Official Fee. Any additional fees or credit for overpayment should be charged to Deposit Account No. 23-0510.

Respectfully submitted,



Allen R. Kipnes, Esquire
Registration No. 28,433
Attorney for Applicant

5

Address All Correspondence to:

Allen R. Kipnes, Esquire
WATOV & KIPNES, P.C.
P.O. Box 247
Princeton Junction, NJ 08550
(609)243-0330

10



FOR THE ATTENTION OF:

Mr. Timothy Collins
USPTO Examiner
Box PCT, Washington, D.C. 20231

April 16, 2002
Linchi Oliver Liu
P.O. Box 822
Princeton Junction, NJ 08550
Telephone: (609) 275-8018

Telephone: (703) 306-9160
Fax: (703) 306-4195 (Sent via fax first follow by US Postal mail)

Subject: Application Serial No: 09/673,559;	Applicant: Albert T. Wu et al.
Filed February 22, 2001	Titled "SPACECRAFT".
Assignee: Turbosat Technology, Inc.	Art Unit 3643,

Dear Mr. Collins,

Pursuant to your telephone conversations with Mr. Linchi Oliver Liu on 15 April 2002, we, the undersigned co-applicants for the subject application, submit the following:

A) REVOCATION OF POWERS OF ATTORNEY

We hereby jointly revoke any and all previous powers of attorney applicable to the subject PCT application, including but not limited to:

Allen R. Kipnes, Esq.
WATOV & KIPNES, P.C.
P.O. Box 247, Princeton Junction, NJ 08550
(609) 243-0330; Fax (609) 275-1010

B) NEW ADDRESS FOR CORRESPONDENCE

Until further notice we jointly request you to use the following address for postal correspondence:

TurboSat Technology, Inc.
P.O. Box 822, Princeton Junction, NJ 08550, USA

C) COMMON REPRESENTATIVES

Until further notice we the undersigned jointly request you to use as our common representatives from among ourselves:

Primary contact: Mr. Paul Kaskiewicz. (Tel: 626-355-5370)
Backup contact: Mr. Linchi (Oliver) Liu (Tel: 215-497-1163)
Fax number: (609) 275 6719, or (413) 778-0001

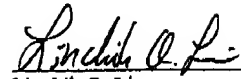
D) MONIES PAID

Would you send us information on any and all monies that have been paid towards the subject national phase Patent application, please?

E) FEES OUTSTANDING

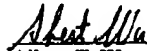
Would you send us information on any and all fees outstanding regarding the subject PCT national phase application, please?

Yours sincerely,



Linchih O. Liu
Co-applicant for subject application

Date: _____

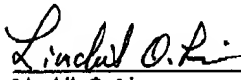


Albert T. Wu
Co-applicant for subject application

Date: _____

Paul F. Kaskiewicz
Co-applicant for subject application

Date: _____



Linchih O. Liu
President
Turbosat Technology, Inc.

Date: _____

ATTACHMENT 5



ARK:jsg022001/7281001.REQ

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Applicant : Albert T. Wu, Linchih O. Liu and
Paul Kaskiewicz

Serial No. : 09/673,559

Filed : October 13, 2000

For : SPACECRAFT

Examiner : Unknown

Art Unit : Unknown

Attorney Docket No. : 728.1.001

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON D.C. 20231

ON February 20, 2001

NAME Jill S. Garretson

SIGNATURE *Jill S. Garretson*

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

February 20, 2001

REQUEST FOR REFUND OF FILING FEE

Dear Sir:

Applicant respectfully requests a refund of one-half of the original filing fee (original filing fee \$1,074.00) pursuant to the executed Small Entity Declaration which is being filed concurrently herewith. Please credit the refund in the amount of \$537.00 to Deposit Account No. 23-0510.

Respectfully submitted,

Allen R. Kipnes
Allen R. Kipnes, Esquire
Registration No. 28,433
Attorney for Applicant

Address All Correspondence to:
Allen R. Kipnes, Esquire
WATOV & KIPNES, P.C.
P.O. Box 247
Princeton Junction, NJ 08550
(609)243-0330

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#1528E EO 242E :#6EE002720:# #1902090.#

ATTACHMENT 6



Applicant or Patentee: Albert T. Wu, Linchih O. Liu and Paul Kaskiewicz Attorney's
 Serial or Patent No.: 09/673,559 Docket No.: 728.1.001
 Filed or Issued: October 13, 2000
 Title: SPACECRAFT

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
 (37 CFR 1.9(f) & 1.27(c))—SMALL BUSINESS CONCERN**

I hereby declare that I am

☒ the owner of the small business concern identified below:

☐ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN TURBOSAT TECHNOLOGY, INC.

ADDRESS OF SMALL BUSINESS CONCERN P.O. Box 822, Princeton Junction, New Jersey 08550

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled SPACECRAFT by inventor(s) Albert T. Wu, Linchih O. Liu and Paul Kaskiewicz described in:

☐ the specification filed herewith.

☒ application serial number 09/673,559, filed October 13, 2000.

☐ patent number _____, issued _____.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). * Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____

ADDRESS _____

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Linchih O. Liu

TITLE OF PERSON IF OTHER THAN OWNER Vice President

ADDRESS OF PERSON SIGNING 42 Indian Run Road, Princeton, New Jersey 08550

SIGNATURE Linchih O. Liu

DATE Feb 16, 2001

C:\700\728\7281001.SMENT-SBC

Photocopies of: (a) the USPS receipt dated 15 June 2002 for First-Class postage, Domestic Return Receipt, and certified mail; (b) the certified mail receipt; and (c) the Domestic Return Receipt - all from our mailing of our "response to the Examiner" dated 12 June 2002.

259T LT0E 4000 0T50 2002

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only, No Insurance Coverage Provided)	
OFFICIAL USE WASHINGTON DC 20231	
Postage	\$ 3.10
Certified Fee	\$2.10
Return Receipt Fee (Endorsement Required)	\$1.50
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 6.70
Sent To: MR. TIMOTHY D. COLLINS, USPTO EXAMINER US DEPT OF COMMERCE, US PATENT & TRADEMARK OFFICE Street, Apt. No.: or PO Box No. COMMISSIONER OF PATENTS & TRADEMARKS City, State, ZIP+4: WASHINGTON DC 20231	
PS Form 3800, January 2001 See Reverse for Instructions	

SIERRA MADRE PO
SIERRA MADRE, California
910249998

06/15/2002 (526)836-3596 10:38:05 AM

Product Description	Qty	Unit Price	Final Price
WASHINGTON DC 20231			\$3.10
First-Class			
Return Receipt			\$1.50
Certified			\$2.10
Label Serial #: 70020510000430171652			
Issue PVI:			\$6.70

Total: \$6.70

Paid by:
Cash \$10.00
Change Due: -\$3.30

Bill #: 1000500910343
Clerk: 07

Refunds only per DMN P014
Thank you for your business
Customer Copy

BEST AVAILABLE COPY

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, give delivery address below: <input type="checkbox"/> No
1. Article Addressed to: MR TIMOTHY D. COLLINS USPTO EXAMINER US DEPARTMENT OF COMMERCE US PATENT AND TRADEMARK OFFICE COMMISSIONER OF PATENTS AND TRADEMARKS WASHINGTON D.C. 20231	<div style="border: 2px solid black; padding: 5px; text-align: center;"> RECEIVED JUN 24 2002 </div>
2. Article Number (Transfer from service label) 7002 0510 0004 3012 1652	3. USPS Type: <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes

ATTACHMENT

8

BEST AVAILABLE COPY

SENDER: COMPLETE THIS SECTION

1. Article Addressed to:
 APPLICATION 09673559
 - RESPONSE TO DENIAL OF PETITION (6/12/03)
 MR. RANDOLPH A. REESE
 SPECIAL PROGRAMS EXAMINER
 PATENT TECHNOLOGY CENTER 3600
 UNITED STATES PATENT & TRADEMARK OFFICE
 COMMISSIONER OF PATENTS & TRADEMARKS
 WASHINGTON DC 20231

2. Article Number
 (Transfer from service label)
 PS Form 3811, August 2001

COMPLETE THIS SECTION ON DELIVERY

A. Signature
☒ X
☐ Agent

B. Received by (Printed Name)
☐ Addressee

C. Date of Delivery
☐ Yes
☐ No

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail
☐ Registered
☐ Insured Mail
☐ Express Mail
☐ Return Receipt for Merchandise
☐ Restricted Delivery (Extra Fee)
☐ Yes

Domestic Return Receipt
 102595-02-M-1540

9928 8442 0000 0707 E002

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

WASHINGTON DC 20231

Postage	\$ 1.06	0860 10 Postmark Here
Certified Fee	\$2.30	
Return Receipt Fee (Endorsement Required)	\$1.75	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 5.11	08/13/2003

APPLN 09673559 - RESPONSE TO DENIAL OF PETITION (6/12/03)
 Sent To MR. RANDOLPH A. REESE, SPECIAL PROGRAMS EXAMINER
 PATENT TECHNOLOGY CENTER 3600
 Street, Apt. No., or PO Box No. UNITED STATES PATENT & TRADEMARK OFFICE
 City, State, ZIP+4 COMMISSIONER OF PATENTS & TRADEMARKS
 WASHINGTON D.C. 20231

PS Form 3800, June 2002 See Reverse for Instructions

SIERRA MADRE PO
 SIERRA MADRE, California
 910249998
 0581020860-0096
 (626)836-3596 08/13/2003 10:31:24 AM

Sales Receipt		Final Price
Product Description	Sale Qty Unit Price	
WASHINGTON DC 20231		\$1.06
First-Class		
Return Receipt		\$1.75
Certified		\$2.30
Label Serial #: 70031010000074488766		=====
Issue PVI:		\$5.11
Total:		\$5.11
Paid by:		
Cash		\$10.11
Change Due:		-\$5.00

Bill#: 1000401492938
 Clerk: 10

Refunds only per DMM P014
 Thank you for your business
 Customer Copy

SIERRA MADRE PO
 SIERRA MADRE, California
 910249998
 0581020860-0096
 (626)836-3596 08/13/2003 10:31:57 AM

Sales Receipt		Final Price
Product Description	Sale Qty Unit Price	
PRINCETON JUNCTION NJ		\$1.06
08550 First-Class		
Issue PVI:		\$1.06
Total:		\$1.06
Paid by:		
Cash		\$1.06

Bill#: 1000401492946
 Clerk: 10

Refunds only per DMM P014
 Thank you for your business
 Customer Copy